

Response to Office Action
SN 10/735,391

RECEIVED
CENTRAL FAX CENTER
AUG 10 2007

REMARKS

I. Status of the Claims

Claims 1-45 are pending. Claims 7, 22, and 31 are cancelled herein. Claims 1, 6, 8, 13, 19, 23, 30, 32, 33, 36, 37, 43, and 45 are amended herein.

II. Amendments

Claims 6 and 13 are amended to correct grammatical errors. Claims 36 and 37 are amended to correct antecedent basis.

Claims 1, 19, and 30 are amended to incorporate the limitations of cancelled claims 7, 22, and 31, respectively. Claims 8, 23, 32, 33, 36, and 37 depended on cancelled claims and are amended to correct dependency.

Claim 43 is amended to clarify that the claimed computer-readable medium produces a tangible result in the form of a visual representation of the calculated completion pace. Claim 45 is amended to clarify that the computer program product comprises data stored on a computer-readable medium. The data produces tangible results: specifically, an online community and author motivation. The limitations added to claims 43 and 45 are supported in the specification at paragraphs 0037-0041.

III. Claim Rejection Under 35 USC §112

Unduly Broad Claims Amended

The Examiner has rejected claims 1 and 30 for undue breadth. By amendment herein, claims 1 and 30 now comprise a combination of multiple steps in a method, and are therefore no longer unduly broad. Applicant respectfully submits that the claims are in form for issuance, and requests that the Examiner withdraw the rejection.

Response to Office Action
SN 10/735,391

RECEIVED
CENTRAL FAX CENTER
AUG 10 2007

IV. Claim Rejection Under 35 USC §101

Claims Amended to Clarify Subject Matter

The Examiner has rejected claims 43 and 45 as being directed to non-statutory subject matter. Applicant thanks the Examiner for his detailed reading of the claims and amends the claims accordingly. Applicant respectfully submits that the claims are in form for issuance, and requests that the Examiner withdraw the rejection.

V. Claim Rejection Under 35 USC §102

A. Corrie Does Not Anticipate

The Examiner has rejected claims 1-4, 7-12, 19-22, 24-27, 29-35, 38-40, and 42-44 as being anticipated under §102(b) by U.S. Pat. App. 2002/0120538 by Corrie et al. A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Brothers, Inc. v. Union Oil Co. of California*, 2 USPQ2nd 1051 at 1053 (Fed. Cir. 1987).

Corrie does not disclose, either expressly or inherently, calculating a completion pace using a completion date specified by the author and a length of the writing project specified by the author. Corrie discloses providing the user with a grant start date, end date, and a list of "activities" that must be completed by certain due dates during the grant period. These due dates are arbitrarily set by the author, the grants manager, or program administrator. They are not calculated, uniform periods of time that define a pace.

In contrast, Applicant's preferred embodiment calculates a completion pace by setting milestones based on a completion date and writing project length, both provided by the author. See specification paragraph 0037, disclosing that a calculating component determines an appropriate completion pace based on the length and duration of the project. Therefore, Corrie does not anticipate any of amended claims 1, 19, or 30 of the present invention because Corrie does not disclose one of Applicant's claimed limitations, namely calculating a completion

Response to Office Action
SN 10/735,391

RECEIVED
CENTRAL FAX CENTER

AUG 10 2007

pace. Applicant respectfully requests that the Examiner withdraw this rejection, and also withdraw the rejection of claims 2-4, 8-12, 20, 21, 24-27, 29, 31-35, 38-40, and 42, based on their dependence on an allowable base claim.

B. Klipstein Is Not Prior Art

The Examiner has rejected claim 45 as being anticipated under §102(e) by U.S. Pat. App. 2005/0027576 by Klipstein. Applicant files an affidavit under 37 CFR §1.131 concurrently with this response, averring that Applicant invented the subject matter of the instant application before Klipstein was filed. Therefore, Applicant conceived of the invention before Klipstein and Klipstein cannot be used as a prior art reference. Applicant respectfully requests that the Examiner withdraw the rejection.

VI. Claim Rejection Under 35 USC §103(a)

A. Corrie and Klipstein Do Not Suggest All Claim Limitations

The Examiner has rejected claims 5, 6, 28, 37, and 41 as being obvious in light of Corrie in view of Klipstein. A claim is *prima facie* obvious only if the prior art reference (or references when combined) teach or suggest all the claim limitations. MPEP §2143.

As pointed out by the Examiner, Corrie does not disclose a step of motivating the author. As stated in Section V.B. herein, Klipstein cannot be used as a prior art reference against Applicant's application. Therefore, a *prima facie* case is not established because the applicable prior art, namely Corrie, fails to teaches all the claim limitations.

Further, due to the amendments to claims 1, 19, and 30, dependent claims 5, 6, 28, 37, and 41 have the limitation of calculating a completion pace for the writing project using a completion date specified by the author and a given length. Neither Corrie nor Klipstein teaches or suggests calculating a completion pace based on a given length of a writing project. The arguments and citations of Section V are incorporated herein by reference. The cited references teach away

Response to Office Action
SN 10/735,391

RECEIVED
CENTRAL FAX CENTER

AUG 10 2007

from calculating a completion pace as in Applicant's invention because the projects contemplated by the references either are not writing projects or do not require a certain length.

Therefore, because the cited references do not teach or suggest all of Applicant's claimed limitations, no *prima facie* case has been established. Applicant respectfully requests that this rejection be withdrawn.

B. Corrie and James Cook University Research Office Do Not Suggest All Claim Limitations

The Examiner has rejected claims 13-18, 23, and 36 as being obvious in light of Corrie in view of James Cook University Research Office "Applying for Research Grants" (referred to herein as "Cook"). A claim is *prima facie* obvious only if the prior art reference (or references when combined) teach or suggest all the claim limitations. MPEP §2143.

Claims 13-18 contain the limitation of calculating a completion pace for the writing project using a completion date specified by the author and a given length. Due to the amendments to claims 19 and 30, claims 23 and 36 also have this limitation. Neither Corrie nor Cook teaches or suggests calculating a completion pace based on a given length of a writing project. The arguments and citations of Section V are incorporated herein by reference. Cook discloses creating a project timetable. See page 8, which discloses breaking research into 2-3 month components. However, Cook does not suggest calculating a completion pace based on a certain writing project length because the research component contemplated by Cook is not the entire project nor does it have a known length.

Therefore, because the cited references do not teach or suggest all of Applicant's claimed limitations, no *prima facie* case has been established. Applicant respectfully requests that this rejection be withdrawn.

Response to Office Action
SN 10/735,391


RECEIVED
CENTRAL FAX CENTER

AUG 10 2007

VII. Conclusion

Applicant respectfully submits that all objections and rejections have been traversed, and that the application is in form for issuance. Applicant respectfully requests that the Examiner allow the application to proceed to issuance.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Sandra L. Etherton", followed by the date "8/10/07".

Sandra L. Etherton
Registration No. 36,982

Etherton Law Group
Customer No. 33354
5555 E. Van Buren St., Suite 100
Phoenix, Arizona 85005-3422
Tel: 602-681-3331
Fax: 602-681-3339